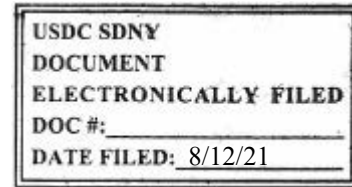


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Justin E. Baerga,

Plaintiff,

—v—

City of New York, *et al.*,

Defendants.

21-cv-5762 (AJN)

AMENDED ORDER
IN §1983 CASE

ALISON J. NATHAN, District Judge:

The Courts August 11, 2021 Order scheduling an Initial Pretrial Conference in this § 1983 case, Dkt. No. 3, was entered in error and is hereby vacated.

This case shall be conducted in accordance with the Plan for Certain § 1983 Cases Against the City of New York (Local Civil Rule 83.10, available at: https://www.nysd.uscourts.gov/sites/default/files/local_rules/rules-2018-10-29.pdf). The parties are directed to follow these procedures – even to the extent that they are inconsistent with this Court’s Individual Rules.

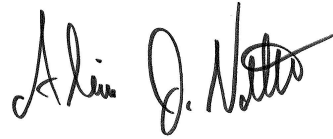
Any timely application to exempt this case from the procedures set forth in the § 1983 Plan or to refer this case to a magistrate judge for settlement purposes will be considered in due course. If the parties do not file a timely application to exempt the case from the § 1983 Plan pursuant to paragraph 4.a of the § 1983 Plan, the parties are directed to submit a joint letter to the Court no later than one hundred and twenty days after the first defendant files its answer. The joint letter shall provide the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie with this Court;
- (3) A brief description as to the status of the case in mediation and each party’s position on whether an initial pre-trial conference should be scheduled;
- (4) Any other information that the parties believe may assist the Court in resolving this action.

Counsel who have noticed an appearance as of the date of this order are directed (i) to notify counsel for all other parties in this action by serving upon each of them a copy of this

notice, the § 1983 Plan, and the Court's Individual Rules (available at: <http://nysd.uscourts.gov/judge/Nathan>) forthwith, and (ii) to file proof of such notice with the Court. If unaware of the identity of counsel for any of the parties, counsel receiving this notice must forthwith send a copy of the notice, § 1983 Plan, and Individual Rules to that party personally.

Dated: August 12, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

ALISON J. NATHAN
United States District Judge